APHORISMES
OF STATE:

OR

Certaine secret ARTICLES for the re-edifying of the ROMISH CHVRCH agreed vpon, and approued in Councell, by the Colledge of Cardinalls in *Rome*, shewed and deliuered vnto Pope *Gregory* the 15. a little before his death.

Whereunto is annexed a censure vpon the chiefe poynts of that which the Cardinalls had concluded.

By THO. SCOTT.

Very needfull and profitable for all those, who are desirous to vnderstand the euent of the restitution of the PALATINATE: And of the state of the Prince-Electors, of *Saxon* and *Brandenburgh*, in the behalfe of the Clergie in *Rome*.

Fit for the British Nation, especially to take notice of, that they may euidently see, the issue of all our Treaties, Ambassagss, and Promises, with other hopes depending: *wherein wee haue beene long held in suspence, and are still like to be, to our vnrecouerable losse.*

Faithfully Translated according to the Latine, and Netherlandish Dutch, into English.

Printed at Vtrech. 1624.

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New vnheard of, and ſtrange Articles.

The firſt Article.

WHereas *Maximilian* the Duke of *Bauaria*, for the eſtabliſhing the ſtate of his Prince-Electorſhip, hath ſought vnto the authority of the *Apoſtolicall* ſeat, thereby hath the Apoſtolicall Church obtained opportunity, to recouer their loſt obedience in the denied Eccleſiaſticall iuriſdiction.

The 2. Article.

SInce the Pope of *Rome* by meanes of the preſent Duke of *Bauaria*, as being the moſt obedient ſonne of the Church, may obtaine againe the Rights, which for theſe two hundred yeares and more, haue beene loſt in the conſtituting of certaine things, and orders in the Empire belonging the Church, it will be a very ſmall labour, to plucke the poſſeſſions of the Church goods, which depend vpon the Eccleſiaſticall rights, out of the hands of the Hereticks.

The 3. Article.

WHereas the Duke of *Bauaria*, according to the eſpeciall *Oath*, made vnto the Church, hath an earneſt deſire, to reſtore againe the Eccleſiaſticall State, as it was before the time of Pope *Gregory* the Eleuenth, The Hereticks (who are the temporall Arme of the Empire) ſhall be bound to reſtore againe thoſe goods which they haue poſſeſſed ſince the paſſawiſh tranſ-action.

The 4. Article.

SInce that it properly appertaineth to the Church to diſcerne and take notice of the ſtate and order of the Empire, wherefore

those Hereticks which denie this antiquity, and the rights of the Church in the state and order of the Empire, which now by the Duke of *Bauaria* shall bee reestablished in time to come, are not to be tollerated.

The 5. Article.

SInce that Pope *Leo* the third, had that power in respect of the heresie, to cut off, and separate the Easterne authority from the Westerne; and to plucke that from the Grecians: wherefore shall not the Pope now haue the same power, to take the Prince-Electorship from the *Palsgraue*, as being an Arch-heretick, and transport the same vnto the Duke of *Bauaria*, the most obedient sonne of the Church.

The 6. Article.

SInce that the divulsion of the Easterne Empire, from the Westerne, which was performed by the most blessed Pope, *Leo* the third, hath continued so firme and sacred euen to this very time: that although the Westerne Empire hath often times beene voide of a possessor, was neuer as yet vnited vnto the Easterne Empire, nor the lawes of the one in the Poruinces of the other were euer of force: wherfore then shall not the divulsion of the Prince Electors dignities of the *Palsgraue* that arch-heretick, be maintained vpon the most Catholique Duke of *Bauaria*, in the like sanctity of perpetuity and stability, by the Pope and the Holy league.

The 7. Article.

SInce that the transport of the Empire from the Grecians vnto the French, performed with such a free arme, & such an actiue power by Pope *Leo*. The Gretian Emperours themselues, although they were the strongest, durst neuer oppugne the same, nay haue many times & often very significantly cómended & firmely kept the same, in like manner the ability nor the opposition of the arch Heretick, the *Saxon* who is yet remayning, may not hinder, much lesse make opposition to the transport of the Prince Electors dignity, vnto the most Catholique Duke of *Bauaria*: in regard that he as being an Heretique, and not knowing the sanctity,

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ſanctity, nor the antiquity of the right originall of the Empire, and ignorant of the lawes and priuiledges thereof, may not enioy that right.

The 8. *Article.*

WHen as *Federick* the firſt, according to the will and pleaſure of Pope *Alexander* the third, was detrued from the Emperiall ſeate, then *Emanuell Comnennus* preſented both men and money vnto the Pope againſt *Fredericke*, to the end the Grecian Church might be vnited to the Latines: by which vndoubtedly he confeſſeth, that to eſtabliſh and fortifie the Popes cutting off, and tranſport, and the vniting of one Kingdome with another, was forbidden, all men whatſoeuer, ſaue onely the Pope, who had firſt ſeparated them; ſo in like manner theſe things like as they alſo be, ſo is it true that the Pope with the Holy league, are bound to employ all their power againſt the Arch-Heretick the *Saxon*, & all thoſe Rebels that depend vpon him: that the Sanctity of the Apoſtolicall ſtoole, and the Antiquity of the Romiſh Empire in the tranſport of the Prince Electors dignity, might bee preſerued and maintayned.

The 9. *Article.*

AFter Pope *Leo* haue other Popes alſo, onely by the authority of their Chaire, very often tranſported the ſaid Weſterne Empire from one Nation to another; wherefore then may not the Pope by the ſame authority of the Chaire of *Rome*, plucke the Prince Electors dignities out of the hands of the Hereticks, and tranſport the ſame to the Catholique Princes, to the end that the ſacred Eſſence of the Romiſh Empire, by the extirpation of Hereticks be againe eſtabliſhed.

The 10. *Article.*

WHereas in all right, Pope *Boniface* the Eight, vnto whom the ſupreame authority in the Church belonged,

would not admit that *Albert* the first of that name, Emperour of the Romanes, by right of inheritance might come to the Empire, like as he had sought both for himselfe and for his posterity and successours, but onely by election: in like manner may the Pope, the Emperour, & the holy league, without violating the Apostolicall seate, which alwayes to be kept sacred in her antiquity, must be defended, not to suffer the Saxon & the Brandenburgher, that they should seeke to draw the authority of the Antiquity in the transport of the Electorship from the Chaire of *Rome*, to bring the same to the Colledge of the Prince Electors.

The 11. *Article.*

PHilip King of the Francks, sent Ambassadours to *Abignon* vnto Pope *Clemens* the Fift: That they very humbly should entreate him, that hee would restore the Empire againe to the French, vnder whome before it had bin. Then did the Pope send Ambassadors vnto the Prince Electors, by whom he commanded them, that they should chuse *Henry* of *Lutzenburgh* Emperour: And that if they did the contrary, that they should incurre great danger, and should forfaite the Empire, & the right of their Election vnto others for euer; whereupou they presently assembled, & elected *Henry* Emperour. Erom all this very plainely appeareth, that the French assuredly knew, that it was in the Popes power to establish the Emperiall command in their Kingdome, and to transport from the Germanes the Empire and the right of the Election: and therefore may the Pope according to the plenitude of his power, no longer vse conniuence, when as these Arch-hereticks, the *Saxon* and the *Brandenburgher*, would throw downe into hell, the antiquity and order of the Empire.

The 12. *Article.*

IT is in the Popes hands, as in all Histories appeareth to renew the Emperour in their Empire, to transport the authoritie of one Nation vnto another, and vtterly to abolish the right of Election: how wickedly and vngodly then doth the Saxon, in labouring to plucke the said power from the Chaire of *Rome*, and to vnite the same vnto the Colledge of the Prince Electors? By this

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meanes the Pope of *Rome* & the Emperour may expect, that from this permiſſion the reſt of the Arch-hereticks, the *Saxon* and the *Bandenburgher*, may change the Eſſence of the holy Church and of the Empire, into an abhominable and curſed monſter.

The 13. Article.

SInce the *VVenceſlaus* by reaſon of his follies, by the Prince-Electors, was depoſed from the Emperiall ſeat, and contrarily *Robert Palſgraue* of the *Rine*, by the command and authority of Pope *Boniface* the 9. aſcended to that high dignitie. In like manner alſo is the *Palſgraue* that Arch-heretick, becauſe hee had committed high treaſon, and had diſturbed the Common-peace of the Emperor and the Empire, detruded from his Prince-Electorſhip: And contrarily for the recouering of the Antiquity, the Emperor with the ſacred and true Prince-Electors, as ſonne obedient to the Church, and diligent in maintayning Antiquity by Commiſſion from the Pope, hath promoted *Maximilian* Duke of *Bauaria* in all right vnto that high degree of Prince-Electorſhip.

The 14. Article.

SO that by the Authority of the Apoſtolicall ſeat, the power of Electing an Emperour, and a Prince-Elector: is drawne into the number of ſeauen Princes: yet whereas according to the Conceſſion of *Gregory* the 5. it appertained vnto all the Princes of *Germany*: alſo by the ſame plenitude of power, it is lawfull for the Pope to cut off the dignity of the Prince-Electorſhip, from the *Palſgraue* and his heires, and to tranſport the ſame vnto the Duke of *Bauaria*.

The 15. Article.

THe plenitude of the power of the Apoſtolicall ſeat, is proued by the publique documents, as is the Election of *Rudolph* of *Habſburgh*, *Adolph*, *Heury* the 7. *Charles* the 4. *VVenceſlaus*, and *Rupertus*, who had no other ſtability, but from the grant and conſent of *Nicholas* the third, *Boniface* the 8. *Clemens* the 5. *Clemens* the 6. *Gregory* the 11. and *Boniface* the 9. which publique documents are kept with the writings of the Apoſtolicall ſeat.

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The 16. Article.

TO the end that the Antiquity of the Empire may the better be manifested, that the Pope and the Church hath onely the power to take notice, discerne, and to dispose of the affaires of the Empire: Therefore the Emperour is crowned with the Crowne by the Pope, who therein hath the highest authority, and this worke effected, then is he establisht in the Emperiall seat: Therefore all Doctors doe agree herein, that he that is crowned by the Pope, hath the power onely to beare the title of Emperour and *Augustus*: to signe with the signe of the golden Bull, and to take vpon him the administration of the Empire: and when the Prince is not crowned by the Pope, he is rightly forbidde̅ to vse the same.

The 17. Article.

AT What time a great contention was risen betweene *Charles* the bald King of the Franckes, and his brother *Lodowicke* in the behalfe of the Empire: Then presently *Charles* posted vnto *Rome*, and so with gifts and entreaties obtayned the Crowne: And therfore according to the forme of antiquity, the Pope onely hath the power to take notice of matters of the Empire: and therefore the Germane Hereticks doe very ill in saying, That the same belongeth to the Colledge of the Prince Electors.

The 18. Article.

SInce that *Frederick* the first, by the Bishop of *Bamberghen*, required the Crowne of the Empire from Pope *Adrian* the fourth (where the words vnder-written are vsed and placed to expresse the same sence) from whence very plainely appeareth, that he that receiueth not the Crowne out of the Popes hand, is in very deede no Emperour. Therefore most holy Father, fulfill without any longer delay, that which *Maximilian* the Duke of *Banaria* wanteth in the plenitude of the dignity of his Prince-Electorship, that the same may be accōplished by your holinesses liberality, to the end the Empire may bee reduced and brought into its old fashion againe.

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The 19. Article.

SInce that in the diſpoſing and ordering of the affaires of the Empire, the Popes reſpect onely extendeth ſo farre, that it now and then hath beene vexed, ſuppreſt, nay hath beene wholly & totally circumuented and defrauded; like as many Hiſtories doe teſtifie, what hath paſſed betweene Pope *Gregory* the 7. and the Emperour *Henry* the 4. betweene Pope *Alexander*, and the Emperour *Frederick* the firſt, betweene Pope *Innocent* the third, and the Emperour *Ottaman* the fourth, betweene Pope *Innocent* the fourth, and the Emperour *Fredrick*: betweene Pope *Iohn* the 21. and the Emperour *Lodowick* the 4. betweene Pope *Boniface* the 9. and the Emperour *Wenceſlaus*. By the ſame reſpect hath the Pope that vndoubted right to take notice of the affaires of the Empire, and to diſcerne thereof, and not the Colledge of the Prince Electors.

The 20. Article.

SInce that the power of the Electing the Emperour, was not purchaſed for money by the Prince Electors, nor obtained by force of Armes, nor enioyed by right of Inheritance, nor befaine vnto them by the hands of the Emperours, but is deſcended from the authority of the Apoſtolicall ſeat: Therefore it is not lawfull for the Germane Arch-hereticks, now at this preſent to beleeue any otherwiſe, thereby to moleſt the Antiquity and Sanctity of the Empire.

The 21. Article.

VVHen as for a long time the cuſtome of Electing the Emperour had beene in vſe, according to the conſtitution of Pope *Gregory* the 5. by the Interceſſion of all the Chiefes and Princes of *Germany*, and that many troubles and diuiſions aroſe by the great diuerſity of voyces in their Election; The Empire is at laſt become to nought: So that the Chiefes and Princes with one accord (according to the decree and approbation of the Apoſtolicall ſeat) were agreed, that all the power which was granted vnto them, all

of Pope *Gregory* the 5. ſhould deſcend vnto ſixe Princes onely; *viz.* to three ſpirituall and three temporall, vnto whom afterwards the ſeauenth was adioyned, and ſolemnly concluded, that of theſe alone, without admitting any other thereunto (from henceforth the Emperour ſhould bee choſen) although they were of the like faculrie, power, and authority.

The 22. Article.

LIke as in former time the Election was performed by vertue of the graunt of Pope *Gregory* the fift. The ſame ſhall now at this preſent (by the ſame power proceeding from the good pleaſure of the Popes tranſport) be effected by the ſeuen And like as in olde time, the Popes commanded al the Chiefes & Princes of *Germany*, that they ſhould chuſe an Emperour, euen ſo at this time when neede requireth, it ſhall be lawfull for the Pope to command the ſeuen Prince Electors, who doe repreſent the Aſſembly of all the Princes there. And like as the ſeauen Prince Electors doe enioy a like power that authority of right, which in olde time the Princes of *Germany* enioyed: in like manner the Pope do enioy wholly that authority which they had in the time of that Aſſembly, in regard that through proceſſe of yeeres, or length of time, the vigour of the Church diminiſheth not, nor the rights of the Apoſtolicall ſeat doe wax decrepit: how great then is the ignorance of thoſe doctors and Councellours of the Germane Arch-hereticks, which neither know the antiquity nor the Rights: but according to their malicious conceit, are not aſhamed to peruert the Antiquity and Sanctity of the Empire into nouelty, and to bring order into confuſion.

The 23. Article.

SInce then it hath beene very amply proued, and ſhewed to his Holineſſe, that the power as well of the new as of the olde prince Electors, to Elect Emperours, hath beene obtained by no other meanes, but from the moſt high Apoſtolicall ſeat, which may be approued by the Writings of the moſt famous Authors, as *Iacob Wimphilingus*, *Krantzius*, *Naucleri*, *Carion*, *Auentine Cuſpinianus*, and other Tranſmontanian Writings, omitting the Italian Doctors, becauſe that they in this point of controuerſie, might peraduenture come in ſuſpition to bee corrupted,

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rupted, and by that meanes might be reiected, of the Germane Hereticks. Therefore it is,* &c.

The 24. Article.

SInce the seauen Prince Electors, by the publick proofes of writings, subscribed with their owne hands and Seales, doe not deny that the faculty of Electing Emperours, is descended vnto them from the Apostolicall seat, and if the ignorant Councellours of *Saxon* and *Brandenburgh* will not beleeue the same, the Writings themselues shal be produced and laid open before them, which doe approue the same, dated in the yeare 1279. when *Nicholas* the third was Pope and *Rudolphus. Hubspurgensis* was Emperour, which are whole and good, in Parchment, remaining with the Secretarie of the Castle of Saint *Angelo*: where the seuen Prince Electors most of them vse these words. The mother Church of *Rome* in times past, as with a naturall loue embracing *Germany*, hath as with a present of temporall dignities honoured the same, with that which is aboue all names, onely as temporally vpon the earth, planting Princes therein, as godly Trees, and watring the same with a singular grace, and hath giuen vnto them that growth of worldly power; that they being supported by the authority of the same Church, as a choyce and famous plant, may cause to spring or grow vp by their Election, him who hath the reynes of the Romane Empire in his hand. Therefore it is,* &c.

* *The rest that should follow, must be taken from the former.*

* *Here lacketh somthing which is to be conceiued out of that which goeth before.*

The 25. Article.

THe seauen Prince Electors must confesse to haue this power from the Apostolical seat, like as sufficiently is proued in the former Article. And contrarily no man can take away the same; without the authority & consent of the same Apostolical seat. If it be taken from any, as being robd therof, it must not be esteemed as lawfully done, and that dignity which after that manner is so taken from one, and transported to another without the Popes consent & authoritie hath no vigour, inregard the same is taken and giuen by them, whom in all right it is forbiden. Therefore if it bee bestowed vpon any man after this manner, in processe of time, taking the right title, he shall not keepe the same.

The 26. Article.

SInce that the transport of the dignities of the Prince-Electorship vnto this present line of *Saxon*, is not establisht by the most holy Apostolicall seat; Therefore the Pope and the Emperour for the dealing of the transport of the Electorship vnto the Duke of *Bauaria*, shall not once be moued, but his exception against the Transport, shall not be esteemed for no exception: for that which is lawfully done, and simply is not done, is all one.

The 27. Article.

SInce that the transport of the dignities of the Prince-Electorship, is passed vnto *Maximilian* Duke of *Bauaria*, and is confirmed by the most holy Father. Therefore it is no longer in the Emperour, nor in the King of *Spaines* power, to place that Arch-Heretick the *Palsgraue*, or his heires in that dignity & dominion, out of which their Father is cast, nor to place him againe in the Electorship, in regard that these Controuersies doe belong to the most holy Apostolicall seat, and neither to the Emperour, nor the King of *Spaine*.

The 28. Article.

SInce that the Pope hath confirmed the transport of the Electorship: so is that demand (which the King of *England*, the King of *Denmarke*, the *Saxon*, and the *Brandenburgher*, of the restitution of the *Palsgraue* into his dignities and Electorship, which they seeke of the Emperor very vnreasonable: for the requiring therof is nothing else, but the detruding of the Apostolicall seat (from the right of her Maiesty, & to attribute vnto the Emperour the fundamentall originall, contrary to the antiquity and sanctity of the Church and Empire: And therefore the holy Father shal be warie, that from such like conniuence there ariseth not a greater discommodity to the father ruine of the Church.

The 29. Article.

O the end then that the Essence of the Church may be preserued in her Antiquity and Sanctity: The most illustrious

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Prelates, the Cardinalls, with one conſent & accord haue ſworne that the Holy Father hauing permitted the confirmation, on *Maximilian* the Duke of *Bauaria*: may not reuoke the ſame without preiudice of the moſt holy Apoſtolicall ſeat, and are bound by the lawes of God, ſimply to maintaine the aforeſaid Duke of *Bauaria* with one common hand, with conioyned power of the whole Church, and with force of Armes, in the dignities of the Prince-Electorſhip.

Here followeth the Cenſure, or Conſideration vpon the aforeſaid Articles.

HEre are preſented vnto vs 29. Articles, from the Prelates of the Romiſh Church, whoſe Elegence is not much to be commended, and doe tend to the preiudice of *Germany*: for the better examination whereof, wee will courſe through all the members or particulars, and to the end that no man may be bewitched therewith, we will adminiſter vnto the ſimple an Anditote againſt this poyſon.

The beginning ſhall be of the three firſt Articles, wherein the Clergy of *Rome* doe imagine vnto themſelues a moſt excellent growth as well of the Iuriſdiction, as of the Temporall goods.

To ſpeake in order of both theſe: I ſay the Pope for as much as he is Pope, hath no Iuriſdiction at all, but for as much as he is enriched by the liberality of Princes, hee hath alſo his owne

lands and hath a certaine Iuriſdiction, which is well to be vnderſtood in his owne lands: But in the Empire where hee hath no place amongſt the Princes of the Empire: no Iuriſdiction may be allowed him, without diminiſhing of the Emperiall Maieſty: Let no man ſuffer himſelfe once to bee moued for that which hath bin ſo long ſaid, that the Pope of *Rome* is in the place of Chriſt here vpon earth. Chriſt himſelfe denied that his Kingdome was of this world. The Diſciple is not mightier then his Maſter, nor the ſeruant greater then his Lord.

What is more euident and plaine, then that which Chriſt himſelfe ſaith. Let the Kings of the Nations beare rule, but with you it muſt not be ſo: neither is that firmer that they hope for the victory, from the triumph, and other proofes, wherewith they haue alwayes defended their cauſe, that Chriſt ſaid, All power is giuen me in heauen and earth: *Maldonatus* refuteth this with theſe words. Chriſt ſpeaketh not here of all power, but of that which he gaue to the Apoſtles: that is, of the power to obtaine & gather together his ſpirituall Kingdome, for which buſineſſe he ſent out the Apoſtles; like as temporall Princes are carefull of their temporall goods, ſo are they alſo of their Iuriſdictions. Here auaileth that which the olde Father *Bernard* wrote to Pope *Eugenius*, in his firſt booke of Obſeruations, Your power is ouer offences or ſinnes, & not ouer poſſeſſions. Theſe baſe and earthly things haue their Iudges, Kings and Princes of the earth; wherefore doeſt thou enter vpon other mens iuriſdictions? Wherefore doeſt thou thruſt thy Sickle or Sythe into another mans Harueſt? Moreouer, hee ſaith in his eleuenth booke, Dominion was forbiden the Apoſtles, dareſt thou then vſe it (*A Lord*) the Apoſtleſhip, or an Apoſtolicall perſons dominion, verily both theſe are forbiden you, if you will enioy both theſe at once. Therefore asketh *Hoſtienſis*, what ſhall we ſay of that which concerneth the Pope in worldly or temporall affaires? whereunto he maketh anſwere, with his Lord *Innocentius*, that vnto him, *viz.* the Pope, it concerned nothing at all. The ſame alſo may be read by *Iohn Parienſis*, in the tenth Chapter of the power of Kings and Popes. This is long agoe tolde

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tolde vnto them, but they gaue it no audience, from hence ariſeth the Engliſh complaint by *Mathew Paris*, where he treateth of *Henry* the third. That it is ſufficiently knowne and found, that the wrath of God is fallen vpon the Romiſh-Church, becauſe their Magiſtrate and Regent, doe not diligently apply themſelues for the deuotion of the people, nor for the gayning of ſoules; but to purchaſe Reuenues, and to ſcrape money together.

Other Nations vſed very grieuouſly to complaine thereof, and that with good reaſon, eſpecially *Germany*, whoſe Princes long agoe ſeeking remedy hereof, were not very acceptable, who could neuer ſatisfie the Romiſh Clergy, with riches and dignities: from this vnſatiable gulfe, alſo ariſeth that they in the third Article, deſire to cut off the conditions for their aduantage, which for the common peace ſake, were receiued aboue ſeuenty yeares ſince at *Paſſow*. But it is not in the Popes power, nor in the Clergy, to breake that which was concluded by a generall Councell of the States, where the Authority of *Charles* entertained.

Heere followeth the Cenſure vpon the ſecond part, which extendeth it ſelfe farre larger then the firſt, in regard that it not onely ſheweth the Cardinaliſh Prince, but that which lyeth next vnder. This afore-ſaid part contayneth 20. Articles, in which they with the like proofes doe proceede, as yet ſeemeth: yet their obiect indeede is ſomething elſe, more then in the former. In which it ſeemeth to be ſufficient to *Michael Lonigus*: That if the Duke of *Bauaria* could but be perſwaded, that hee would ſeeke for the conſent of the Pope, in thoſe dignities where he was honoured. In ſuch maner the chiefeſt Cardinals do take the reines of good reaſon too too long into their hands; Nay, as *Phaeton* vpon the Waggon of their Auarice, to the danger of the world, & more eſpecially of *Germany*, doe ride out of the common rout of the Popes: like as if it were of no moment, to pronounce ſuch an horrible ſentence of the Tranſport of the Electorſhip

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of the *Palsgraue*, and the occasion thereof: whereof wee will not now dispute, and so they fall aboord the Prince-Electors of *Saxon* and *Brandenburgh* in the behalfe of the Rights of the Election: what is it elle but with the like Thunderbolt to dash the heads of the sacred Empire? they say they are Heretickes: It is now no time to enquire after heresie, but rather soundly to dispute, whether that a Bishop like as hee hath right to excommunicate a man for heresie; Whether therefore hee hath the power also to rob and spoile a man of his dignities and meanes: verily therein is great difference: Christ commaunded that the excommunicated should bee counted as an Heathen or Publican: but in no place willeth hee that men should rob the Heathens or Publicans of their Authority, or should spoile them of their goods. Christ himselfe paid Tole vnto the Publicanes, and by his example, hath shewed vs the way what wee should doe. The Apostles liued vnder Heathenish Emperours, and were obedient to their lawes: in like manner also were all their Successours: nay the Apostles being obedient, vsed to pray to God for them: There saith *Tertullian* in his Analogie, in the thirtieth Chapter, wee inuoke the eternall God for the prosperity of the Emperour, praying that he may haue a long life, a peacefull gouernment, an establisht habitation, strong Armies, faithfull Councellours, and a peacefull world: When *Iulian* left Christianity, and betooke himselfe to Heathenisme, did the Christians then detrude him forth of his Empire? When they heare of this, then will they contend with latter examples, saying, Wherefore then may not the Pope, by the same right for heresie, transport the dignity of the Prince-Electorship vnto another, since that Pope *Leo* the third, for the same occasion transported the Empire from the Grecians vpon the *Francks*. This is that *Achilles* which so boasts in the Colledge of the *Cardinalls*, but yet hee is not strong enough to take in our City of *Elizeum*. They abuse themselues exceedingly with this example; first from the Act of the Pope, they conclude the iustnesse of the Act, if we may so driue our Arguments, there is no Act of any man

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man, but it may bee found fault withall: they erre alſo herein, that they affirme that to be done, which was neuer done.

We know it all of vs, that the Empire was tranſported, but withall that it was done by the counſell of *Rome*, as alſo all *Italy* conſented thereunto, either priuatly or publikely. Of the weſterne people I will paſſe ouer in ſilence; They ſay againe that wee haue many Writers, which make repetition of that which *Leo* did; who denieth that: but they commend *Leo*, as being one of the chiefeſt cittizens, and ſo had the greateſt reſpect of any man in the Citty: they commend him alſo as being Biſhop of *Rome*, who with his hands was to ſet vp the crowne, as being a ſigne or repreſentation of the Empire; Therfore theſe writers were in no hereſie, becauſe they meant that either *Leo* did the ſame alone, or elſe principally could haue done it. Many other who are no leſſe in number, nor in reſpect then theſe, doe relate vnto vs the cleane contrary: they ſay expreſſely, that the ſame was done and performed according to the decree & will, as is aforeſaid of the Counſell of *Rome*. *Sigebertus* ſaith in the yeare 801: The *Romans* now, who long agoe had withdrawne their affections from the *Conſtantinopolitan* Emperour, as then finding very good opportunitie, becauſe that a woman, when the Emperour *Conſtantine* was depriued of his ſight, gouerned them by his Son: then proclaimed they with one accord the Emperour *Charles* for their Emperour, they crowned him by the hand of Pope *Leo*, they ſtiled him Emperour and *Auguſtus*. A popiſh writer *Theodoricus de Niem*, who afterwards was Biſhop of *Verden*, ſaith, about the very time of the Coronation the people of *Rome* made a Law according to the old cuſtome, but it was very troubleſome to recollect all things that happened ſo often: therefore the ſentence, right and power of the Empire, was left vnto the Emperour, as we finde it written: then the people of *Rome* tranſported all this vnto *Charles*, &

gaue vnto him all that right and power.

Blondus alſo in his firſt booke, decad. 2: and *Aneus Siluius*, or *Pius* 2. in *Blondus* his ſhort relation: alſo *Iacobus Wymphelingies*, in his ſhort relation of the Pope of *Rome*, in the xi. Chapter, doe affirme that the Coronation by *Leo*, was performed and done with the knowledge, and at the entreatie of the people of *Rome*. Theſe are the words of *Onuphrius Panuimus in faſtis*: *Leo* by the conſent of the people of *Rome* and at the intreatie of the Clergie of *Rome*, proclaimeth *Charles* Emperour. So that from thoſe and others who affirme that it was done by the Councell, and the people of *Rome*; muſt thoſe writers be interpreted, that they doe not confirme, nor yet deny the ſame?

How much more is it to beleeue that which is confirmed by witneſſes, which is denyed by none: then not to beleeue thoſe which do confirme the ſame, becauſe that all of them do not affirme, although there bee no body that doe deny the ſame: for after this manner writeth *Michell Coccimmus* very well, in his booke of the tranſport of the Empire, wee muſt beleeue that the ſame tranſport was performed, and had his power or operation from the conſent and authority of the *Romanes*, and other people of *Italy*. That which *Innocentius* the 3. wrote vnto *Bartold* Duke of *Zaringe*, doth not contract the ſame: That the Apoſtolical ſeate of Rome, tranſported the *Romane* Empire vnto the perſon of the famous *Charles* from the *Grecians* vnto the *Germans*, for in this we conſent: That the Apoſtolicall ſeate vpon no other meaning did tranſport the Empire, but that they who did tranſport the Empire, did conſent thereunto, or elſe made declaration that they ſhould tranſport the ſame. But ſuch a tranſport hath had its power from the vniforme conſent of the people.

Hence may very plainely appeare in what manner the tranſport which *Leo* performed was done, and by this meanes that is very eaſily ouerthrowne, which they ſay:

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That the Empire was transported for Heresie: the occasion of the transport is here formerly related out of *Sigibertus:* the true cause thereof was, because the Emperours of the East did neglect, or were careless of the Westerne Empire and authoritie: and so (as is aforesaid) did let it passe; this wee can confirme and approue with very firme testimony, *Lupoldus* saith in his fourth booke of the rights of the authority of the Empire, in this maner.

The *Grecian* Emperour in the time of *Carolus Magnus*, nay before his time also, *viz.* when his Father *Pepin*, and his Grand-father *Carolus Mertellus* liued, gouerned onely with the name of the Westerne Empire: so that neither the Romish Church, nor the other Christian Congregations, nor those of the *Longobardes*, who were contrary to all law suppresst, could either by the Easterne Emperour, nor by their authority obtayne any right in the Westerne Empire: so that the aforesaid Emperours made no account nor reckoning of the Westerne Empire, bnt held it loosely as a derelict, onely commanding therewith the name as appeareth in diuers Cronicles; of the same oppinion is *Iohannes Parisiensis*, in his 16. Chapter, wrighting of the Kingly and papall power. It was not done by the Pope onely, but that it was the peoples desire, who may subiect themselues to whome they will, without preiudice to any other: and therefore that was done for a necessary reason, for to defend them against the Heathens and Infidells, because they could not bee defended by any other: which right they might doe: for the people make the King, and the Army the Emperour. *Aneas Syluius* in his Booke of the rising, and authoritie of the Roman Empire, saith in the 9. Chap. At the last when the Grecians were careless of *Rome*, and leauing the same to be made a pray, and to be ransacked one while by the *Barbarians*, and also by others: the people of Rome, who with their bloud had got such great riches, who by their valour had erected the Monarchie of the

world, *saluted by the name of Emperour*, *Carolus Magnus then King of the Francks, being a German borne*, who deliuered the City and the Holy place from the inuasion of enemies: first greeting him with this title, *Patricius*: and afterwards *Augustus*: the Popes good will and pleasure hereunto concurring. Also saith *Nauclerus* in his 27. *generat*, in the yeare 800, vpon the day of the Birth of our Lord, good deliberation proceeding: *Leo* the Pope of *Rome*, considering that the *Constantinopolitan* Emperours did very carelessely defend that name, and held the Westerne Empire as lost: hee declared, with the consent of the people of *Rome*, *Charles* Emperour of the *Romans*, and crowned him with the Crowne; when the commonaltie of the *Romans* three times cryed out alowde, *Carolo Augusto, &c.* *Paulus Æmilius* in his Historie of the *Francks*, saith thus: The Maiestie of the Emperours was now at this time, and before very slight; and there after hee saith: the principallest of the *Romans* being of another courage, and audacitie, gaue their voyces, that the seate of the Empire being (as it were voyde) and possessed of none: as if it had beene Gods will, and had beene so ordained: should bee inuested with the King of the *Francks*, because that hee by his seruice which hee had done for the Church, had well deserued the same: and that they were obliged and bound to him, &c.

Michaell Coccimus speaketh yet more plaine concerning the transport of the Empire, saying: When the *Romans*, and almost all the people of *Italy* by processe of time, and the Inuasion of many Nations and pillagings, as being subiect to the *Gothes*, *Vice-Gothes*, *Humes*, and *Long-bardes*, and being not able with their owne forces to defend themselues, and the *Grecians* taking no care at al of them for the performance thereof: nay that which is more, they themselues heaping euill vpon euill, and vsing all diligence to suppresse and spoile them, vsing too great auariciousnesse & desire of autho-

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authority ouer them; they marking the exceſſiue couetouſneſſe of the *Grecians*, and alſo their careleſneſſe: obſeruing alſo the worthineſſe, capacitie, and equity of the *Germanes*: they tranſported the Empire from the *Grecians* vnto the *Germanes*, and recommended the ſame to *Carolus Magnus*, This tranſport of the Empire being effected by the *Romanes*, and other people of *Italy*, and that with the common conſent and authoritie of them all, out of all doubt had full power, and hath remained firme.

Hence appeareth plaine enough, that they are either fooles, or elſe are much deceiued, which thinke that the Empire was tranſported to the *Frauks* for hereſie.

This alſo is worthy conſideration, that although the Eaſterne Empire was tranſported by Pope *Leo* to the Weſterne, that the *Pope* hath now the ſame right to remoue the Empire according to his will. In olde time it was otherwiſe then it is now. Let vs grant that the *Pope* of *Rome* had ſome right, as the beſt qualified citizen of the citie, nay that the City (which neuer yet was done) had tranſported all her power vnto him, what doth that concerne theſe our preſent times, ſince that the *Pope* hath driuen the Emperour out of the dominion of the Citie. After what manner (ſay I) hereafter ſhall either *Rome* it ſelfe, or the Pope of *Rome* pretend any right in the electing of an Emperour, ſince they doe not acknowledge the Emperour for their Lord; yea ſince it is acknowledged that the prince Electors are to be ordained by the conſent and voyces of the States, and this is by the approbation of *Gregory* the 5. hath not the Pope loſt his right when he conſented hereunto? ſo that hereby that authority which the Pope aſcribeth to himſelfe is quite ouerthrowne. What a number of proofes might be produced againſt this power of the Pope? yea alſo the teſtimony of principall perſonages, who by reaſon of their learning, are exceeding famous.

Here followeth the third part, which falleth very grie-

uonſly both with tooth and naile vpon the bodies of all thoſe that diſlike the ſentence of the Pope, and that conſiſteth in the three laſt Articles.

Aud firſt that is touched which concerneth the election, that is, the right of voice is taken from the Prince Elector the Duke of *Saxon*; vnder this pretext, becauſe forſooth the Pope of *Rome* hath not confirmed that dignitie wherwith that family for theſe many yeres hath been inueſted, nor is it confirmed by the Pope: as if that illuſtrious Family had not been ſo wiſe, as neuer to haue required the ſame of the Pope. It is but too well knowne vnto them, that they whom the Pope glorieth to haue honoured with the name of Empire or Authoritie, that he taketh away from them the maieſtie of authoritie: ſo that his inueſting may well bee called diſrobing, and his crowning a dethroning or depoſing. For I pray you, of what conſequence is the confirmation of the Pope vnto thoſe whom he driues into a bodily feare, if he had no temporall power? It is ſuch as *Origen* long ago vnderſtood to be, which he taught, as appeareth by his writings vpon *Mathew*, on his twelfth Homily:

> Among you which are mine, theſe things ſhall not bee; to the end that thoſe which haue any power in the Church, doe not ſeeme to domineere ouer their brethren, nor to vſe any authoritie. For like as a neceſſity is impoſed vpon temporall matters, and not left to the will; and ſpirituall matters in will, and not in neceſſitie: ſo ſhal the dominion of ſpirituall Princes be confirmed in loue, and not in bodily feare.

If therefore the power of the prince Electors be from the Pope, becauſe that the Emperiall power is from him, as our aduerſaries affirme: how can they prooue that the dignitie of the prince Elector muſt proceed from the Pope, if it be not needfull that the Emperour be confirmed by the Pope? There is a text that ſaith, The Army maketh an Emperour. The Gloſſe ſaith thereby, He is a right Emperour before he be confirmed by the Pope. This they of *Baſil* vnder-

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vnderstood very well; who after the death of *Lodowick*, where the Lord of *Bambergher* chiefe President made this answer: That Emperour which the Ppince Electors shall ordayne for vs, him will we accept of, although he haue no respect vnto the Pope. This appeareth *in Supplemento Vrspergensi*. Nay that which is more; the Pope himselfe confesseth, that not the Empire it selfe, but the Emperiall title rested onely in him. Pope *Adrian* the fourth, in his Epistle to the Archbishop of *Ments Tryer* and *Cullen*, saith: The name of the Emperour is from the Pope, but the Empire and authority commeth from the prince Electors. Hence then is confuted that which is said in the 27. Article, since that ehe Pope hath confirmed the Duke of *Bauaria* in the dignity of prince Elector, that then not onely the King of *Spaine* (who is there mentioned) but also the Emperour is bereaued of the power to restore againe vnto the *Palsgaue* his hereditary possessions and the dignity of the Prince electorship. For if the Ppope hath no power in the affaires of the Empire, then shal the Emperour by his doings not lose his right, muchlesse any other Prince, if he before the Popes deed had any right of suffrage.

I am forced to stop my eares by the reason of that extreame proud and ambitious affront which is set downe in the 28. Article: That although the two most puissant Kings of Great *Brittanie* and *Denmake*, or the Two illustrious Prince Electors of *Saxon* and *Brandenburge* should require of the Emperour that the *Palsgraue* of the *Rhine* might be restored againe vnto his hereditary possessions and dignity of Prince Elector, that they then robbed the State of *Rome* of the right of its maiestie, and did attribute the power of the Ppince Electors dignitie vnto the Emperour. The Pope of *Rome* doth very fasly attribute that maiestie vnto himselfe, which appertaineth to the Emperour, and to the Princes of the Empire and the States. Very falsly is the Pope of Rome called here, the Fountaine and Sourse of the Prince Electors

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dignities, because that power is sprung out of the Councell of the Germany Princes. Like as *Naucleius* saith, *Generat.* 34. The writer *Theodoricus Niemus* vseth these words: The Princes of *Germanie* haue ordained it so. The very same also do other writers affirme. Neither do I deny that it was with the approbation of Pope *Gregory* the 5. Therefore the temporall dignitie is not chiefly from the Pope, for not the Pope, but the princes of the Empire doe represent the whole body & people of the Empire, in whom immediatly, as in the subiect the temporall power consisteth.

Nicholas Cusanus in his third booke of the catholicke concordance, in the 4. Chap. In my iudgement iudgeth very well thereof, writing in this maner, saith: The prince Electors, who elected in the place of others, were (in the time of Pope *Gregory* the 5. being a *Germaine*) ordained of the naturall kindred of *Otho:* and therefore it is not tollerable that the prince Electors should haue their power of electing from the Pope of *Rome*; (so that now, vnlesse hee consented these should not haue it: or if hee would, that hee would take it from them.) I aske, who hath giuen the people of *Rome* power to elect an Emperour, but the Law of God and nature; for by way of a voluntary subiection, and consent in precedencie, all sorts of gouernments are well and holy instituted: and afterwards there hee setteth downe yet something else; the prince Electors that were constituted by the generall vniformitie of voices, of all *Germanes* and others belonging to the Empire: in the time of *Henry* the 2. had their fundamentall power from the generall consent of voices of all, who by the law of nature might chuse themselues an Emperour, not from the Pope of *Rome* himselfe, in whose power it is not to giue to euery prouince a King or an Emperour when it pleaseth him, and when it doth not please him,

Lastly, the *Articles* were sealed vp with this Oath.

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That the Pope himselfe, without preiudice to his seate, may not reuoke the Electorship from the Duke of *Bauaria*, since that hee hath confirmed him in that dignitie; nay, that all the Prelates of the Romish Church, are bound with force of Armes to maintaine the Duke of *Bauaria*: and yet more, that all those that are of the Romish Church, are bound to bring all their force together to maintayne the same. So that the Romish Clergie disdaining the prerogatiue of Kings & Princes, doth very boldly determine and decide those controuersies which arise in the Empire, and threateneth to force them by warre who are not content with the Popes sentence; How ill sauourly those things doe sute and agree with Pope and Clergie of *Rome*, is shewed vnto vs in that famous place of *Peter Damianus*, who liued in the yeare 1060, his words in his Letter vnto the Bishop *Firminus* are these.

Like as the Sonne of God himselfe did ouercome all the obstacles of this raging world, not by any proofe of vengeance, but by constant patience, and invinceable Maiestie: so fitteth it best that we rather suffer, and patiently endure the worlds raging with humility: then either by taking Armes in hand, or requiring wounds with woundes: especially since that betweene the Empire and the Priest-hood, the offices are seuerall; The King shall vse the temporall Armes, the Priest shall put on a spirituall sword, which is the word of God; *Paul* saith of the Princes of this world, that hee bareth not the sword in vaine, being a Minister of God, and his reuenger in wrath, vpon him that doth euill. King *Azarias*, because hee tooke vpon him the Priests office, was stricken with Leprosie: so that Priest which shall take vp Armes, (which is the worke of the Laitie) what deserueth hee? If now any man would obiect, that Pope *Leo* oftentimes thrust himselfe into warres, and yet for all that was a iust Pope: I tell you mine opinion. *Peter* neuer obtained the Apostle-ship because hee for-

ſooke his Maiſter; Nor *Dauid* the gift of propheſing, becauſe he defiled another mans bed. Here is not to be conſidered of good and euill thinges according to the deſert of the poſſeſſors, but they are to be iudged according to their owne qualities. Doe we reade any where that Pope *Gregory*, who endured ſo many robberies and pillages of the *Longobeards*, either did or wrote the like; Doe we reade any where, that any of the holy and worthy Popes did euer take vp Armes to make a warre: no neuer in no place; graunt then that the Lawes of the ciuill Magiſtrate may narrowly ſift, pry, and determine any certayne queſtion which ariſeth in the Church: or elſe determine and iudge of that which concernes not the Iudgement ſeate of the ciuill Magiſtrate, by an Edict of the Counſell, or an aſſembly of Diuines: to the end that either by the iudgement of the Magiſtrate, or the Iudicature of the Pope, there ariſe no warre which might be accounted to our ſhame.

The Clergie men of *Rome* are altogether of another opinion, practiſing and endeauouring almoſt nothing elſe but Warre, not onely with their Armes, but alſo threatening others, and whilſt they are doing this, they are not aſhamed to affirme, that they are bound thereunto by the Lawes of God; Let them obſerue what Chriſt commanded the Apoſtle *Peter*, to put vp the ſword into the ſheath. Where hath euer God commaunded the Clergie, that they ſhould intermedle in matters of temporall dignities, or ſhould vndertake warres: much leſſe that the y ſhould blow the Trumpet, or beate Allarmes as they do now. (haue I the deſire of Dominion their God) Obſerue diligently I pray you, that bloudy Oath intended by all the prelates, to the end the faſhion of the ancient and holy Church might be maintayned entire, like as if the faſhion of their Church now were, as it was wont to be in former times; Let vs reade that which *Tertullian*, *Ambroſe*, *Auguſtine*, and other Writers, who ſubiect the Clergie vnder the power of the Temporall; Pope *Gre-*

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gorius *Magnus*, writeth himselfe vnto the Emperour *Mauritius* these words: I the vnworthy seruant of your pietie: and a little after he saith yet farther, To this end authoritie is giuen to mee from heauen aboue all men, that belong to my Lords the Emperours for pietie cause; When as the said *Mauritius*, would haue that Pope *Gregory* should publish a Law which hee had made: & this Pope adiudging the same to bee vnreasonable, and opposing the liberty of the Church: he therefore did not blaspheame against the Empire, but was obedient vnto the cõmand of the Emperour his Master, not dissembling to speake his minde and opinion of the Emperours Law: These are the Popes owne wordes: I being subiect to authoritie, haue sent these Lawes into seuerall quarters of the world, and because they are not agreeable to almightie God, I haue communicated the same vnto the illustrious Lords, by amissiue of my owne opinion, so that I haue fully discharged my dutie on both sides: shewing as I am bound obedience to the Emperour: and not concealing my opinion in that which concerneth God.

Here ought we to obserue, how cunningly and craftily the Colledge of Cardinalls obserue and aime at the example of the anciẽt holy Church, chiefely in the time of Pope *Gregory* the 7. vnder which this lurketh, that this Pope *Gregory* was the very first who durst ascribe & take vnto himselfe the right of the Empire; At what time (I pray you) liued this Pope? about the yeare 1100. is the antiquitie whereof they boast; I may affirme with *Tertullian*, that this is noueltie; what holinesse was there in those dayes, when all maner of factions, cussennings, frauds, deceites, and villanies had their full swinge: and to right much thereof would be too dangerous, and be no honour to Christendome; Like as the Writer of those times affirmeth in the dayes of the Emperor *Henry* the 4. It is very well knowne vnto all men, what Cardinall *Benno* hath written and translated of the Pope:

(although Cardinall *Bellarmine* iudgeth that the same was written by a Lutheran;) In like maner, it is also but too well knowne by other writers, who haue painted out in liuely coloures this Pope *Gregory* euen to the life. A certaine man named *Orthamus Gratious*, very much addicted to the Romish Church, was the first publisher thereof in a Booke, wherein are contayned very many remarkable obseruations: out of the Actions of this Pope *Gregory*, the colledge of Cardinalls, in the 19. Articles do conclude the Popes authoritie, and not out of these actions onely, but also of other Popes who haue delt most tirannically with the Empire. One could also hit the Cardinalls in the teeth, with that which Cardinall *Bellarmine* in his second Booke of the Popes of *Rome* saith, in the 29. Chap. vpon the 4. Argument, *viz.* That the Christian Emperours haue oftentimes beene Iudges of the Popes: whereunto very subtilly he inferreth or answereth; That these things haue beene done, but how well haue they done the same, and by what right, that they themselues shall answer.

It is indeed much to be wondred at, that the Clergie men are grown to that passe, that they so stoutly attempt that which all the World hath in abhomination, and with such poluted hands to lay hold vpon the most famous state of the Empire. Wee obserue also how shamelesse the Colledge of Cardinalls are, willing that we (from the euill liues and wicked actions of deceased Popes) should conclude how great the authoritie of the Pope is: at least they need not to bee so contumelious, and arrogant against those Emperors, which in former times the popes haue acknowledged to be themselues seruants of the Emperours; the Pope also ought to haue in consideration that he by meanes of the Empire hath obtayned so great riches, and now by the greatnesse of his power, and all maner of sensualities, blindeth the eyes of many temporall Princes.

How blind are the men of this age, when the Sunn shineth

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ſhineth ſo bright, how little do they know or think what will fall out in the end; hee hath got ſo great treaſures from thoſe of the Empire, to the end that hee wanting nothing, might giue the better luſter vnto his Religion: now abuſeth he theſe gifts, by driuing the Empire into a great feare. Hee is enriched with earthly countries, to the end he ſhould enrich vs with the heauenly, and now they ſerue him to take away our earthly; He is enriched, to the end that by his religious care, we might liue in great ſecurity in the Empire: now hee careth not for that, although there be trouble raiſed in the Empire, ſo he may liue brauely and laſciuiouſly; This is the reward of peruerted liberalty: ſo that for many ages it hath been very truly ſaid: Religion brought forth riches, and the Daughter hath deuoured the Mother.

You props and pillars of the Empire, (moſt Illuſtrious Emperour, Princes Electors, Princes, & States) tollerate no longer this triumph & pride of the Romiſh Clergie: you ſee how bouldly they violate the lawes of the Empire, they limite your eſtabliſhed law, and preferre vnto you that which they do but thinke and inuent: leauing vnto you the bare name of the Empire, but haue drawne the maieſtie thereof long agoe to themſelues.

What will this worke in the end, if you be content any longer with patience to behold or looke vpon the ſame? neuer thinke that they will omit to increaſe theires, and decreaſe yours; You haue heard how they threaten you, and what they intend as enemies to proſecute: and you know that the abhominable deeds which the Popes haue performed againſt the Emperonrs, doe ſerue them now for very faire examples.

Since then it is not yet to late, take councell prouidently, that the Romiſh Cardinalls in the end may be glad to leaue their affronts, and their proud courage may quaile, vndertake firme and ſubſtantiall courſes, that their diſſolute and inſolent deſire of dominion, may bee reſtrayned and bridled: then ſhall the Maieſtie of the Empire bee

preserued : whereunto Almightie God giue you his blessing in all your consultations, from whome you haue receiued the possession and gouernment of the Empire.

* * *

FINIS.

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